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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 LAKEISHA NICOLE HOLLOWAY,
10 Petitioner,
11 vs.
12 WARDEN, CLARK COUNTY JAIL, *et al.*,
13 Respondents.
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Case No. 2:15-cv-02494-GMN-CWH
ORDER

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16 This action is a *pro se* petition for a writ of habeas corpus. The matter has not been properly
17 commenced because petitioner submitted incomplete financial paperwork. The *in forma pauperis*
18 application was not submitted on the court-approved form as required by Local Rule LSR 1-1. In
19 addition to filing an application to proceed *in forma pauperis* on the court-approved form, a prisoner
20 seeking to proceed *in forma pauperis* “shall submit a certified copy of the trust fund account
21 statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding
22 the filing of the complaint . . . obtained from the appropriate official of each prison at which the
23 prisoner is or was confined.” 28 U.S.C. § 1915(a)(1), (2); Local Rule LSR 1-2. Petitioner has failed
24 to submit an *in forma pauperis* application on the court-approved form and has failed to provide the
25 necessary financial information.

26 Due to the defects presented, the *in forma pauperis* application will be denied. The present
27 action will be dismissed without prejudice to the filing of a new petition in a new action with an *in*
28 *forma pauperis* application with all required attachments. It does not appear from the papers

1 presented that a dismissal without prejudice would result in a promptly-filed new petition being
2 untimely. In this regard, petitioner at all times remains responsible for calculating the running of the
3 federal limitation period as applied to her case, properly commencing a timely-filed federal habeas
4 action, and properly exhausting all claims in the state courts.

5 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF
6 No. 1) is **DENIED** and that this action is **DISMISSED WITHOUT PREJUDICE** to the filing of a
7 new petition in a new action with a properly completed *in forma pauperis* application with all new
8 and complete financial attachments.

9 **IT IS FURTHER ORDERED** that the Clerk of Court shall send petitioner the following:
10 (1) two copies of an application form to proceed *in forma pauperis* for incarcerated persons and
11 instructions for the same; (2) a noncapital Section 2254 habeas petition form and instructions for the
12 same; and (3) a copy of the papers submitted in this action at ECF Nos. 1 & 2.

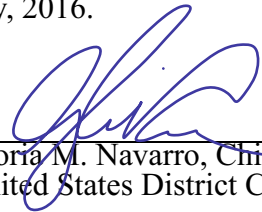
13 **IT IS FURTHER ORDERED** that all pending motions in this action are **DENIED**,
14 including the motion filed at ECF No. 2.

15 **IT IS FURTHER ORDERED** that petitioner may file a new petition and *in forma pauperis*
16 application in a new action, but she may not file further documents in this action.

17 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

18 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**. Reasonable
19 jurists would not find the dismissal of the improperly-commenced action without prejudice to be
20 debatable or wrong.

21 Dated this 28 day of January, 2016.

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25 _____
26 Gloria M. Navarro, Chief Judge
27 United States District Court
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